



Entered on Docket
June 18, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

WILDE & ASSOCIATES
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Wells Fargo Bank, N.A.
08-79069 / 0085268803

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Wilmer J. Rodriguez

BK-S-08-24767-mkn

MS Motion No.

Date: 6/17/09

Time:

Chapter 13

Debtors.

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-
 2 petition arrearages currently due as follows:

3	3 Monthly Payments at \$1,794.57	\$5,383.71
4	(March 1, 2009-May 1, 2009)	
5	2 Late Charges at \$71.78 each	\$ 143.56
6	Attorneys Fees	\$ 750.00
7	Attorney costs	\$ 150.00
8	Less suspense	-(\$ 5.43)
9	Total Amount due through	\$6,421.84

10 The above arrearage shall be paid in six (6) monthly installments of \$1,070.31. These payments
 11 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month
 12 commencing with the June 20, 2009 payment and continuing throughout and concluding on or before
 13 November 20, 2009.

14 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
 15 Debtors at least five business days' notice of the time, place and date of sale.

16 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and
 17 maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning
 18 with the June 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject Property,
 19 generally described as 1340 N. Red Hollow Dr. , Las Vegas, NV 89031, and legally described as follows:

20 Lot Eleven (11) in Block Fifteen (15) of ELDORADO R1-65 NO. 4, as shown by Map thereof
 21 recorded July 25, 1990 on file in Book 46 of Plats, page 82 in the office of the County Recorder of Clark
 22 County, Nevada, and by Certificate of Amendment, recorded April 19, 1991 in Book 940419 of Official
 23 Records as Document No. 00810.

24 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any
 25 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
 26 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each
 such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be
 paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure
 the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to

Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By 

GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor

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APPROVED AS TO FORM & CONTENT:

Rick A. Yarnall

By  6-9-09

Rick A. Yarnall

Chapter 13 Trustee

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Elizabeth R. Deflyer

By 

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